

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X	:	
UNITED STATES OF AMERICA,	:	
Plaintiff,	:	
	:	19 Cr. 363 (LGS)
-against-	:	
	:	
COLIN AKPARANTA,	:	<u>ORDER</u>
Defendant,	:	
-----X		

LORNA G. SCHOFIELD, District Judge:

WHEREAS a sentencing hearing was held on December 8, 2020;

WHEREAS at the hearing Defendant objected to the imposition of the \$5000 statutory assessment set forth in 18 U.S.C. Section 3014 based on the assertion that he is currently indigent;

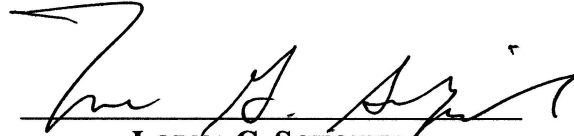
WHEREAS the assessment is mandatory in this case, except on a finding that the defendant is indigent. *See United States v. Clarke*, 979 F.3d 82, 101 (2d Cir. 2020). “Merriam-Webster defines “indigent” as “suffering from extreme poverty.” The record does not support a finding of extreme poverty. The Presentence Report states (with no objection from Defendant) that he has a net worth of over \$150,000; and that he is also entitled to reimbursement of some portion of his pension contributions as well as payment for annual leave of over \$3000.

Defendant was receiving workman’s compensation until very recently resulting in a positive monthly cashflow. Before and after he serves his term of imprisonment, Defendant should be able to work as he is able bodied and has experience working as a security guard. Although Defendant and his family will undoubtedly experience financial hardship while he serves his sentence, Defendant is not without current resources or the ability to earn a salary in the future. It

is hereby

ORDERED that Defendant's objection is OVERRULED, and the \$5000 statutory assessment set forth in 18 U.S.C. Section 3014 is imposed.

Dated: December 8, 2020
New York, New York

A handwritten signature in black ink, appearing to read 'Lorna G. Schofield', written over a horizontal line.

LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE